



CITY OF
HAYWARD
HEART OF THE BAY

South Hayward BART Transit-Oriented Development Project Approvals

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Assistant City Manager*

July 26, 2011



Recommended Actions

- Reauthorize City Manager to negotiate, execute and implement the Standard Agreement and Disbursement Agreement with HCD
- Authorize City Manager to negotiate, execute and implement an Owner Participation Agreement (OPA) for South Hayward BART TOD project
- Modify certain Conditions of Approval for the project
- Authorize City Manager to execute and implement a Joint Powers Authority (JPA) Agreement with BART

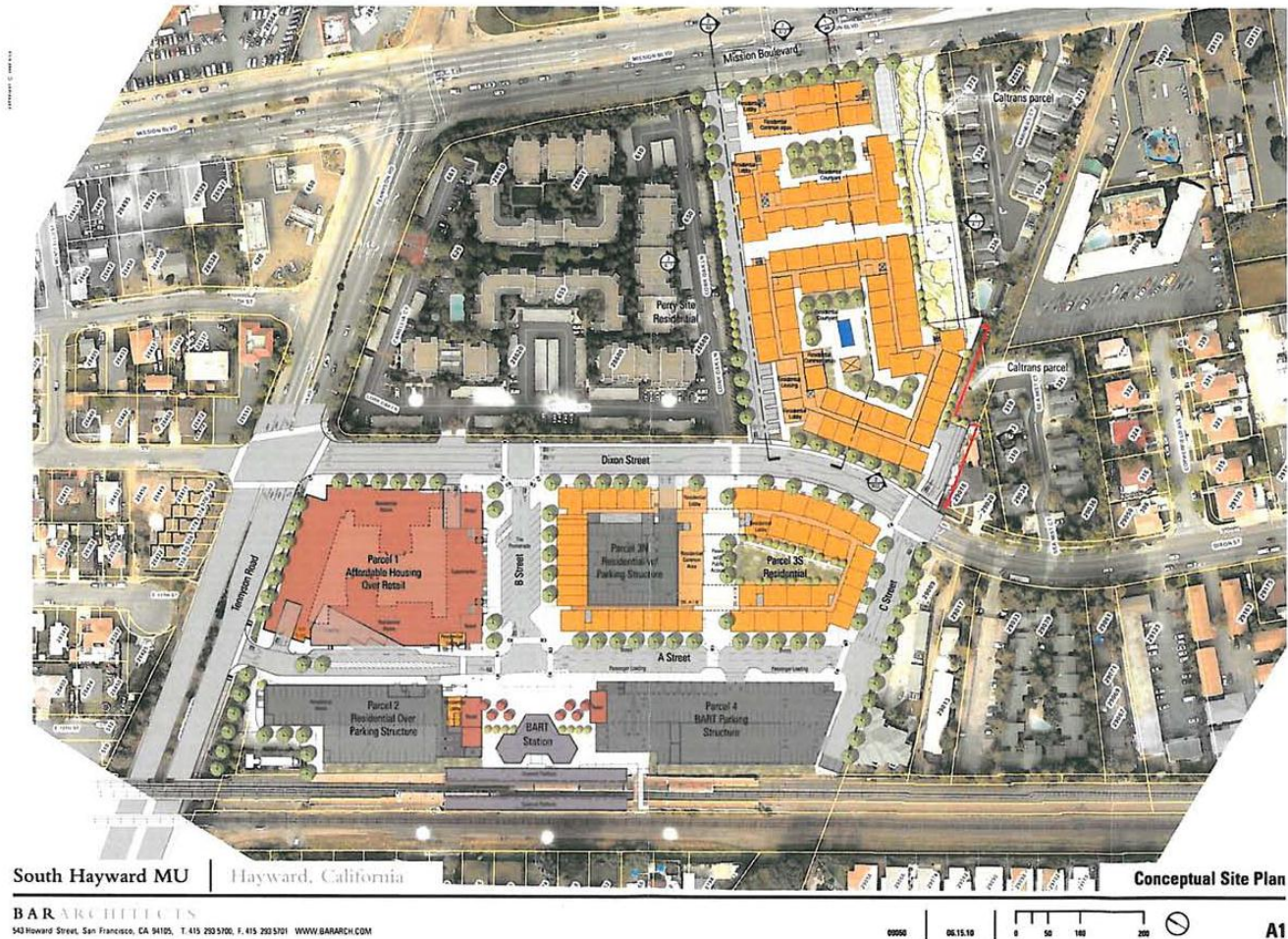


Current Project Status

- Minor Modification to Preliminary Development Plan approved by Development Services Director on June 8, 2011.
- Phase I to include 151 affordable units and 203 market-rate rental units (mapped for condos) on east side of Dixon Street.
- Phase I revised HCD funding: up to \$33.1 million (up to \$18 million Infill Infrastructure Grant (IIG) and \$15.1 million Transit Oriented Development (TOD) Housing Funds).
- Approval of \$6 million loan to Eden Housing on June 14, 2011 for affordable component of project.
- Council work session on July 12, 2011 to review major elements of HCD documents, OPA, JPA, and modifications to Conditions of Approval



Revised Project Phasing Plan



Requested Modifications to Conditions of Approval – Negotiated Proposal

- Traffic Signal on Dixon Street:
 - Staff and Developer in agreement on proposed modification
- Landscape and Lighting Assessment District:
 - Would be established for maintenance of park
- Park In Lieu Fees
 - No fees paid for affordable units
 - City to acquire land; Developer to pay 50% of acquisition costs (capped at \$400,000)
 - Developer to construct improvements at a cost of \$455,000
 - Developer to pay park in lieu fees for market rate units at Single Family Attached rate



Conditions Related to Park in Lieu Fees

CURRENT REQUIREMENTS:	DEVELOPER REQUEST:	STAFF RECOMMENDATION:	Final Negotiated Proposal:
<u>AFFORDABLE IN LIEU FEES:</u> Developer pays Park-in-Lieu Fees for Affordable Units and Receives credit for acq and dev of CalTrans parcels	<u>AFFORDABLE IN LIEU FEES:</u> Developer does not pay Park-in-Lieu Fees for Affordable Units	<u>AFFORDABLE IN LIEU FEES:</u> Developer does not pay Park-in-Lieu Fees for Affordable Units	<u>AFFORDABLE IN LIEU FEES:</u> Developer does not pay Park-in-Lieu Fees for Affordable Units
<u>CALTRANS PARCELS:</u> Developer pays for acquisition and then develops CalTrans parcels for park purposes with no cap on costs	<u>CALTRANS PARCELS:</u> Developer pays City \$455,000 and City acquires and develops park; Developer dedicates easement for walkway connection	<u>CALTRANS PARCELS:</u> City acquires CalTrans parcels – Developer pays costs; Developer improves parcels and develops park; costs capped at \$1.3 million	<u>CALTRANS PARCELS:</u> City acquires CalTrans parcels – Developer pays 50% of acq costs (capped at \$400,000); Developer improves parcels and develops park at cost of \$455,000; LLD formed for park maintenance
<u>MARKET RATE IN LIEU FEES:</u> Developer pays Park-in-Lieu fees based on current Ordinance requirements	<u>MARKET RATE IN LIEU FEES:</u> Developer pays Park-in-Lieu fees based on current Ordinance requirements (Single Family Attached rate)	<u>MARKET RATE IN LIEU FEES:</u> Developer pays Park-in-Lieu fees based on current Ordinance requirements (Single Family Attached rate)	<u>MARKET RATE IN LIEU FEES:</u> Developer pays Park-in-Lieu fees based on current Ordinance requirements (Single Family Attached rate)

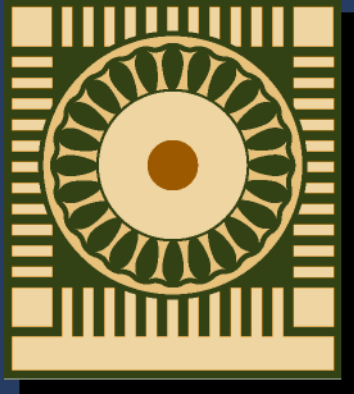


Next Steps

If Council approves staff recommendations, the City Manager:

- will execute the HCD documents once approved by HCD staff (early Fall).
- will execute the JPA Agreement with BART. City Council will need to appoint two JPA members in Fall.
- will execute the OPA with appropriate implementing language for the modified conditions of approval (early Fall).





Council Questions and Discussion

